IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11862 of 1997

Between:

G.Seshareddy S/o. G.V.Subbareddy

President of Ukku Civil Contractors Welfare Association

6-5, Chaitanyanagar, Old Gajuwaka,**Visakapatnam .... PETITIONER**

AND

1.. The Steel Plant, Visakapatnam

rep by Chairman and Managing Director,

Visakapatnam Steel Plant,Administrative Building,Visakapatnam- 31

2.. The Steel Plant, Visakapatnam

rep by Director (Finance), Visakapatnam Steel Plant,

Administrative Building,Visakapatnam- 31

(The cause title amended as per Court order dated 13-11-1997

in W.P.M.P.No. 27168 of 1997)

3.. The State of A.P.,

rep by its Secretary, Mines and Geology,

Secretariat,Hyderabad

(R-3 impleaded as per Court order dt 31-7-1997 in

WPMP No.20366 of 1997) **....RESPONDENT**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate authority from insisting on mineral Revenue Clearance Certificate for seignorage already collected by the 1st

respondent and the penalty of five times thereon and it is further prayed to stay all further proceedings in pursuance of letter dated 9-5-1997 and direct the 1st respondent to release all bills inclusive of final bills and to S.D.S to the petitioners members.

Counsel for the Petitioner:SMT.D.PRASANNA KUMARI

Counsel for the Respondent No. 1 and 2: MR.V.RAVINDER RAO

Counsel for the respondent No.3 : G.P. for Mines & Geology

The Court made the following :

ORDER:

This writ petition is filed questioning the action of the first respondent in insisting on mineral revenue clearence certificate for seignorage already collected and levying penalty of five times thereon.

It is submitted by the learned Special Government pleader for Transport and admitted to by the learned counsel for the petitioner that the subject matter of this writ petition is squarely covered by the common order passed by this Court in W.P. No.7456 of 1997 and batch, dated
07-10-1998.

In the circumstances, following the common order of this Court in W.P. No.7456 of 1997 and batch, dated 07-10-1998, this writ petition is dismissed for the same and similar reasons. No costs.

However, it is made clear that the conditions stipulated in
G.O. Ms. No.6, dated 12-01-1996 are applicable only in respect of the contracts for which the agreements are executed on or after 12-01-1996, and the works covered prior to that date shall be processed under G.O. Ms. No.205, dated 08-10-1993. If the petitioner had already drawn his bills pending payment of seigniorage fee, he shall now pay the same within a period of eight weeks from today, if not already paid. If the petitioner failed to comply with the condition, he shall also pay the penalty of five times, if the agreements are concluded and civil works carried out beyond 12-01-1996, within a period of six weeks from today.

_____

N.V. RAMANA, J

4-4-2005

tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.. The Chairman and Managing Director,

The Steel Plant, Visakapatnam

Visakapatnam Steel Plant,

Administrative Building,

Visakapatnam- 31

2.. The Director (Finance),

Steel Plant, Visakapatnam

Visakapatnam Steel Plant,

Administrative Building,

Visakapatnam- 31

3.. The Secretary to Govt, Mines and Geology,

Secretariat,

Hyderabad

4) 2 CD copies

5) 1 CC to MR.RAVINDER RAO

6) 2 CCs to Government Pleader for Mines and Geology , High Court of A.P. Buildings, Hyderabad (OUT)

Form-NIC-OGS/WP{ }